

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ANTHONY RAPP, et ano.,

Plaintiffs,

-against-

20-cv-9586 (LAK)

KEVIN SPACEY FOWLER,

Defendant.  
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**MEMORANDUM AND ORDER**


LEWIS A. KAPLAN, *District Judge*.

The Court is considering whether to hold a targeted evidentiary hearing on plaintiff Rapp's motion to remand insofar as raises the issue of the defendant's domicile at a relevant time or times, *see Zappia Middle E. Constr. Co. v. Emirate of Abu Dhabi*, 215 F.3d 247, 253 (2d Cir. 2000), and, should it elect to do so, whether it should hear live testimony (whether in person or via video) from any witness(es) in addition to the defendant.

Counsel shall confer promptly concerning their views on these issues. On or before April 20, they shall file a report or reports as to their position or positions on these matters including their rationales for hearing live testimony from any suggested witness other than the defendant. The parties shall include in the report or reports a statement as to dates in May and June when such a hearing conveniently could be held and its estimated duration.

SO ORDERED.

Dated: April 13, 2022

  
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Lewis A. Kaplan  
United States District Judge